

Congress of the United States  
House of Representatives  
Washington, DC 20515-0545

April 29th, 2019

Jeff Jones  
Chief Executive Officer  
H&R Block  
1301 Main Street  
Kansas City, MO 64105

Dear Mr. Jones:

I write to raise concerns about H&R Block misdirecting eligible taxpayers away from the Internal Revenue Service (IRS)'s Free File program and instead steering those families to your company's expensive products.

According to reporting from the non-profit investigative journalism outlet *ProPublica*, at least two companies participating in the IRS's Free File program: Intuit's TurboTax and H&R Block—used website code that blocked search engine queries by taxpayers seeking access to the Free File program.<sup>1</sup>

Instead, eligible taxpayers looking to file their taxes for free—as an option mandated by Congress—would need to comb through complex websites for free filing. These artificial barriers run contrary to the goals of the Free File program and are designed to steer families into paying for services that rightfully should be free of charge to them as taxpayers.

Misdirection like this is why only 3% of eligible taxpayers typically use the Free File program.<sup>2</sup> As a result of upselling and marketing, families end up spending an estimated billion dollars a year in unnecessary filing fees.<sup>3</sup>

I ask that H&R Block do the following to remediate this harm to taxpayers:

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<sup>1</sup> Justin Elliott, "TurboTax Deliberately Hides Its Free File Page From Search Engines," *ProPublica* (April 2019) at: <https://www.propublica.org/article/turbotax-deliberately-hides-its-free-file-page-from-search-engines>

<sup>2</sup> Tik Root, "Why Are Millions Paying Online Tax Preparation Fees When They Don't Need To?" *ProPublica* (June 2018) at: <https://www.propublica.org/article/free-file-online-tax-preparation-fees-intuit-turbotax-h-r-block>

<sup>3</sup> Id.

- First, all customers who paid for tax filing services from your organization and who are otherwise eligible for free filing should be affirmatively contacted and provided a refund; taxpayers should not have to call or write H&R Block to get their money back.
- Second, your company should immediately amend its website code to allow for search engine queries to easily point to your Free File services.
- Third, H&R Block should develop and submit to Congress for review an outreach and marketing campaign such that the Free File services will be better promoted and more easily understood in the 2019 tax year.

I have spent my career as a consumer protection attorney fighting against these types of abuses; I know how misdirection like this can strip families of money that is desperately needed to pay for rent, food, school supplies, prescription drugs, and other critical needs. This misconduct is particularly concerning in light of FFA companies' recent lobbying against the IRS creating a Free File portal of its own.<sup>4</sup> I ask that H&R Block respond to my request by May 15th, 2019.

Sincerely,

A handwritten signature in black ink that reads "Katie Porter". The signature is fluid and cursive, with the first name "Katie" and last name "Porter" clearly distinguishable.

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<sup>4</sup> Id.